

REMARKS

Claims 1-21 are pending in this application. Claims 5 and 10-13 are objected to; and claims 1, 2, 6, 7 and 14-21 are rejected. Claims 5, 10-12 and 16-19 are amended hereby. Claims 3, 4, 8 and 9 have been previously canceled.

Responsive to the rejection of claims 16-19 under 35 U.S.C. § 112, second paragraph, Applicant has amended claims 16-19 keeping in mind the comments by the Examiner. Applicant respectfully submits that claims 16-19 are in allowable form.

Responsive to the rejection of claims 20 and 21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,841,839 (Stuart), Applicant respectfully traverses this rejection, and submits that claims 20 and 21 are now in condition for allowance.

Stuart '839 discloses a gun mount which includes an elongated base 20 with two depending legs 26 and 28 and a third depending leg 30 which threadably mates with star wheel 32 to provide a way for varying the inclination of the base of sighting the gun on target (column 3, lines 5-20).

In contrast, claim 20 recites in part: "A shooting device, comprising: . . . a clampable bipod . . .". (Emphasis added.) Applicant submits that such an invention is neither taught, disclosed nor suggested by Stuart '839 or any of the other cited references, alone or in combination, and has distinct advantages thereover.

In further contrast, claim 21 recites in part: "A clampable bipod for use with a shooting device . . .". (Emphasis added.) Applicant submits that such an invention is neither taught, disclosed nor suggested by Stuart '839 or any of the other cited references, alone or in combination, and has distinct advantages thereover.

Stuart '839 discloses gun mount which is generally considered a gun bench in the art, and

which is clearly not a bipod. A bipod is commonly understood to denote: “A stand having two legs, as for the support of an instrument or a weapon.” (*The American Heritage Dictionary of the English Language*, 1978, Houghton Mifflin). As both claims 20 and 21 recite a bipod, and as Stuart ‘839 clearly does not disclose a bipod, Stuart ‘839 does not anticipate claims 20 and 21.

Advantages of the present invention over Stuart ‘839 is that it attaches easily and quickly to a shooting device, it is relatively lightweight, it can be connected to the shooting device in advance of usage as when the shooting device is being carried by a shoulder strap, and the bipod of the present invention is suitable for field deployment.

For all of the foregoing reasons, Applicant submits that claims 20 and 21 are now in condition for allowance, which is hereby respectfully requested.

Responsive to the rejection of claims 20 and 21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,375,337 (Butler), Applicant respectfully traverses this rejection, and submits that claims 20 and 21 are now in condition for allowance.

Butler ‘337 discloses a handgun sighting device 19 which includes a base 20 with legs 26 and 28 on a front end 22, and a third leg 30 (column 2, lines 35-48).

In contrast, claim 20 recites in part: “A shooting device, comprising: . . . a clampable bipod . . .”. (Emphasis added.) Applicant submits that such an invention is neither taught, disclosed nor suggested by Butler ‘337 or any of the other cited references, alone or in combination, and has distinct advantages thereover.

In further contrast, claim 21 recites in part: “A clampable bipod for use with a shooting device . . .”. (Emphasis added.) Applicant submits that such an invention is neither taught, disclosed nor suggested by Butler ‘337 or any of the other cited references, alone or in combination, and has distinct advantages thereover.

Butler '337 discloses a handgun sighting device which is generally considered a gun bench in the art, and which is clearly not a bipod. A bipod is commonly understood to denote: "A stand having two legs, as for the support of an instrument or a weapon." (*The American Heritage Dictionary of the English Language*, 1978, Houghton Mifflin). As both claims 20 and 21 recite a bipod, and as Butler '337 clearly does not disclose a bipod, Butler '337 does not anticipate claims 20 and 21.

Advantages of the present invention over Butler '337 is that it attaches easily and quickly to a shooting device, it is relatively lightweight, it can be connected to the shooting device in advance of usage as when the shooting device is being carried by a shoulder strap, and the bipod of the present invention is suitable for field deployment.

For all of the foregoing reasons, Applicant submits that claims 20 and 21 are now in condition for allowance, which is hereby respectfully requested.

Responsive to the rejection of claims 1, 2, 6, 7, 14-16, 18 and 19 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,449,314 (Sorensen), Applicant respectfully traverses this rejection, and submits that claims 1, 2, 6, 7, 14-16, 18 and 19 are now in condition for allowance.

Sorensen '314 discloses firearm support 10 including a base 11 of flat stock and of wooden or plastic composition (column 2, lines 35-48).

In contrast, claim 1 recites in part: "A shooting device, comprising: . . . a clampable bipod . . .". (Emphasis added.) Applicant submits that such an invention is neither taught, disclosed nor suggested by Sorensen '314 or any of the other cited references, alone or in combination, and has distinct advantages thereover.

In contrast, claim 6 recites in part: “A clampable bipod for use with a shooting device . . .”. (Emphasis added.) Applicant submits that such an invention is neither taught, disclosed nor suggested by Sorensen ‘314 or any of the other cited references, alone or in combination, and has distinct advantages thereover.

In contrast, claim 15 recites in part: “positioning said clampable bipod . . .”. (Emphasis added.) Applicant submits that such an invention is neither taught, disclosed nor suggested by Sorensen ‘314 or any of the other cited references, alone or in combination, and has distinct advantages thereover.

Sorensen ‘314 discloses firearm support which is generally considered a gun bench in the art, and which is clearly not a bipod. A bipod is commonly understood to denote: “A stand having two legs, as for the support of an instrument or a weapon.” (*The American Heritage Dictionary of the English Language*, 1978, Houghton Mifflin). As all of claims 1, 2, 6, 7, 14-16, 18 and 19 recite a bipod, and as Sorensen ‘314 clearly does not disclose a bipod, Sorensen ‘314 does not anticipate claims 1, 2, 6, 7, 14-16, 18 and 19.

Advantages of the present invention over Sorensen ‘314 is that it attaches easily and quickly to a shooting device, it is relatively lightweight, it can be connected to the shooting device in advance of usage as when the shooting device is being carried by a shoulder strap, and the bipod of the present invention is suitable for field deployment.

For all of the foregoing reasons, Applicant submits that claims 1, 6 and 15, and claims 2, 7, 14, 16, 18 and 19 depending therefrom, are now in condition for allowance, which is hereby respectfully requested.

At page 3 of the Office Action claims 5 and 10-13 are indicated allowable, if rewritten in independent form including all of the limitations of the base claim and any intervening claims, for

which courtesy the Examiner is thanked. Applicant has amended claim 5 to include the limitations of claim 1. Applicant has amended claim 10 to include the limitations of claim 6. Applicant has amended claim 11 to include the limitations of claim 6. Applicant has amended claim 12 to include the limitations of claim 6. Claim 13 depends from claim 12. For all of the foregoing reasons, Applicant submits that claims 5 and 10-13 are in condition for allowance, which is hereby respectfully requested.

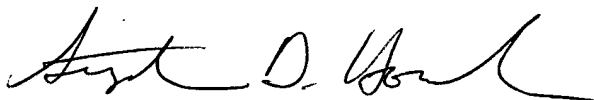
At page 3 of the Office Action claim 17 is indicated allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph, and if rewritten in independent form including all of the limitations of the base claim and any intervening claims, for which courtesy the Examiner is thanked. Applicant has amended claim 17 to overcome the rejection under 35 U.S.C. § 112, second paragraph, and to include the limitations of claim 15. For all of the foregoing reasons, Applicant submits that claim 17 is in condition for allowance, which is hereby respectfully requested.

For the foregoing reasons, Applicant submits that the pending claims are definite and do particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Moreover, Applicant submits that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicant respectfully requests withdrawal of all rejections and allowance of the claims.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby conditionally petitions therefor and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,



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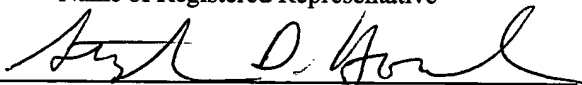
Agent for Applicant

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: July 5, 2005.

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Name of Registered Representative



Signature

July 5, 2005

Date

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